



## MEETING OF THE CITY COUNCIL

# Agenda

Stephen C. Padilla, Mayor

Patricia E. Chavez, Councilmember  
John McCann, Councilmember  
Jerry R. Rindone, Councilmember  
Steve Castaneda, Councilmember

Jim Thomson, Interim City Manager  
Ann Moore, City Attorney  
Susan Bigelow, City Clerk

June 20, 2006  
6:00 P.M.

Council Chambers  
City Hall  
276 Fourth Avenue

### CALL TO ORDER

**ROLL CALL:** Councilmembers Castaneda, Chavez, McCann, Rindone, and Mayor Padilla

### PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

### SPECIAL ORDERS OF THE DAY

- **OATH OF OFFICE**  
Jeff Justus - Design Review Commission
- **DID YOU KNOW...VOLUNTEERS INSPIRE BY EXAMPLE?** Presented by Marcia Raskin, Human Resources Director, and Bobbi Bennett, Senior Human Resources Analyst.

### CONSENT CALENDAR

(Items 1 through 5)

*The Council will enact the Consent Calendar staff recommendations by one motion, without discussion, unless a Councilmember, a member of the public, or City staff requests that an item be removed for discussion. If you wish to speak on one of these items, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting. Items pulled from the Consent Calendar will be discussed immediately following the Consent Calendar.*

1. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE CITY ENGINEER TO ISSUE ENCROACHMENT PERMIT NO. PE-682 FOR THE INSTALLATION OF A RETAINING WALL AND FENCE ALONG EASTLAKE PARKWAY**

In September 2005, the Design Review Committee (DRC) approved the Eastlake Village Walk at the southern corner of Eastlake Parkway and Miller Drive that consists of 13.3 acres of commercial land. VWE, LLC, owner of the project, is proposing to construct a retaining wall and a fence within the City's right-of-way. The retaining wall was approved by the DRC and will be maintained by VWE, LLC. (Acting Engineering Director)

Staff recommendation: Council adopt the resolution.

2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING THE SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF CONSERVATION, DIVISION OF RECYCLING, FOR FISCAL YEAR 2006/2007 FOR FUNDS FROM THE CALIFORNIA BEVERAGE CONTAINER RECYCLING FUND AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH APPLICATION AND ACCEPTANCE OF THE GRANT FUNDS

Chula Vista is eligible to receive \$58,373 for 2006/2007 from the California Department of Conservation, Division of Recycling to be used for beverage container recycling and litter clean-up activities. (General Services Director)

Staff recommendation: Council adopt the resolution.

3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FILING OF A GRANT APPLICATION TO THE DEPARTMENT OF CONSERVATION'S BEVERAGE CONTAINER RECYCLING COMMUNITY OUTREACH PROGRAM FOR FUNDS TO ENHANCE RECYCLING SERVICES AT SPECIAL EVENTS IN CHULA VISTA

The City's large special events annually generate almost three tons of waste that could be recycled. The City intends to make the recycling process more convenient for event-goers by enhancing and streamlining the City's existing special events recycling program. Adoption of this resolution approves application for a Department of Conservation Grant to help fund the project. (General Services Director)

Staff recommendation: Council adopt the resolution.

4. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPOINTING THE DIRECTOR OF GENERAL SERVICES, OR HIS DESIGNEE, TO SIGN THE APPROPRIATE AND REQUIRED GRANT DOCUMENTATION REGARDING THE MURRAY-HAYDEN PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR AND COASTAL PROTECTION BOND ACT OF 2000 FOR THE "GREG ROGERS PARK IMPROVEMENTS (PR169)" PROJECT

State grant funds were previously accepted for the Greg Rogers Park Improvements (PR169) project and the Director of Parks & Recreation, or his designee, was appointed to sign the appropriate and required grant documentation from the State. Due to reorganizations since that time, it is necessary to appoint the Director of General Services, or his designee, to sign the grant documentation. (General Services Director)

Staff recommendation: Council adopt the resolution.

5. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHULA VISTA AND THE CHULA VISTA ELEMENTARY SCHOOL DISTRICT REGARDING JOINT OPERATION OF THE DYNAMIC AFTER SCHOOL HOURS (DASH) AFTER SCHOOL RECREATIONAL PROGRAM, AND THE SAFE TIME FOR RECREATION, ENRICHMENT, AND TUTORING FOR CHILDREN (STRETCH) EXTENDED SCHOOL DAY EDUCATIONAL PROGRAM; AND AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING

Adoption of the resolution approves an updated Memorandum of Understanding (MOU) between the City and the Chula Vista Elementary School District for Fiscal Year 2006/2007, which includes expansion of the number of students served at one STRETCH site (Mueller). It also increases enrollment of STRETCH students served at Loma Verde and Mueller due to the additional funding received from the After School Education and Safety Program. The Chula Vista Elementary School District Board is expected to vote on the Fiscal Year 2006/2007 MOU at its June 20, 2006 meeting. (Assistant City Manager Palmer)

Staff recommendation: Council adopt the resolution.

## **ITEMS REMOVED FROM THE CONSENT CALENDAR**

### **PUBLIC COMMENTS**

*Persons speaking during Public Comments may address the Council on any subject matter within the Council's jurisdiction that is not listed as an item on the agenda. State law generally prohibits the Council from taking action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. Comments are limited to three minutes.*

### **PUBLIC HEARINGS**

*The following items have been advertised as public hearings as required by law. If you wish to speak on any item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

**NOTE: ITEMS 6 THROUGH 8 PERTAIN TO APPLICATIONS SUBMITTED BY EASTLAKE COMPANY WITH REGARD TO THE EASTLAKE III SENIOR HOUSING PROJECT. THEY WILL BE CONSIDERED UNDER A CONSOLIDATED PUBLIC HEARING AND STAFF PRESENTATION.**

6. CONSIDERATION OF CERTIFICATION OF THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE EASTLAKE III SENIOR HOUSING PROJECT

In accordance with the requirements of the California Environmental Quality Act (CEQA), a Subsequent Environmental Impact Report (SEIR) has been prepared to analyze the environmental impacts of the proposed EastLake III Senior Housing Project. CEQA Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program have been prepared, which reflect the conclusions of the Final SEIR. The Final SEIR contains responses to comments received during the public review period. (Planning and Building Director)

Staff recommendation: Council conduct the public hearing and adopt the following resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CERTIFYING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (FSEIR 05-02) FOR THE EASTLAKE III SENIOR HOUSING PROJECT; MAKING CERTAIN FINDINGS OF FACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

7. CONSIDERATION OF AMENDMENTS TO THE CITY'S GENERAL PLAN, EASTLAKE III GENERAL DEVELOPMENT PLAN, SECTIONAL PLANNING AREA PLAN, AND ASSOCIATED REGULATORY DOCUMENTS CHANGING THE LAND USE DESIGNATION OF 18.4 ACRES AT THE SOUTHWEST CORNER OF OLYMPIC PARKWAY AND WUESTE ROAD FOR THE EASTLAKE III SENIOR HOUSING PROJECT

The applicant, EastLake Company, submitted applications to amend the City's General Plan and EastLake Planned Community Regulatory documents to change the land use designation of approximately 18.4 acres at the southwest corner of Olympic Parkway and Wueste Road Intersection from Commercial Visitor to Residential High Density. The proposed project would accommodate an Active Senior Adult Community proposing 494 condominium units with amenities and recreational facilities. (Planning and Building Director)

Staff recommendation: Council conduct the public hearing, adopt the following resolution, and place the following ordinance on first reading:

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE CITY'S GENERAL PLAN, EASTLAKE III GENERAL DEVELOPMENT PLAN, THE EASTLAKE III SECTIONAL PLANNING AREA (SPA) PLAN, AND ASSOCIATED REGULATORY DOCUMENTS FOR 18.4 ACRES (AKA EASTLAKE SENIOR HOUSING PROJECT) AT THE SOUTHWEST CORNER OF OLYMPIC PARKWAY AND WUESTE ROAD
- B. ORDINANCE OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE EASTLAKE III PLANNED COMMUNITY DISTRICT REGULATIONS AND LAND USE DISTRICTS MAP FOR 18.4 ACRES (AKA EASTLAKE III SENIOR HOUSING PROJECT) AT THE SOUTHWEST CORNER OF OLYMPIC PARKWAY AND WUESTE ROAD
- 8. CONSIDERATION OF A TENTATIVE SUBDIVISION MAP TO SUBDIVIDE APPROXIMATELY 19.6 ACRES INTO TWO LOTS AT THE SOUTHWEST CORNER OF OLYMPIC PARKWAY AND WUESTE ROAD FOR THE EASTLAKE III SENIOR HOUSING PROJECT

The applicant, Pulte Homes, filed a tentative subdivision map to subdivide 19.6 acres into 2 parcels for 494-unit condominium units. The project is located on the south side of Olympic Parkway, west of the intersection of Olympic Parkway and Wueste Road, within the EastLake III master planned community. (Planning and Building Director)

Staff recommendation: Council conduct the public hearing and adopt the following resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING TENTATIVE SUBDIVISION MAP (PCS 06-11) FOR 19.6 ACRES AT THE SOUTHWEST CORNER OF OLYMPIC PARKWAY AND WUESTE ROAD INTERSECTION FOR THE EASTLAKE III SENIOR HOUSING PROJECT

## ACTION ITEMS

*The item listed in this section of the agenda, and is expected to elicit discussion and deliberation. If you wish to speak on the item, please fill out a "Request to Speak" form (available in the lobby) and submit it to the City Clerk prior to the meeting.*

- 9. REPORT REGARDING CHAMPIONSHIP OFF-ROAD RACING (CORR) CONDITIONAL USE PERMIT (PCC 06-054) MAY 20 AND 21, 2006 RACES

On May 2, 2006, the Council approved a Conditional Use (CUP) permit for Championship Off-Road Racing (CORR) to conduct four weekend race events for short track off-road truck races on the existing track in Village Two of the Otay Ranch. The Council required City staff a report on the status of the May races. This report summarizes staff's findings on the conduct of the races. (Planning and Building Director)

Staff recommendation: Council accept the report and direct staff to continue monitoring July races.

## OTHER BUSINESS

### 10. CITY MANAGER'S REPORTS

### 11. MAYOR'S REPORTS

Discussion regarding a letter from Chula Vista Elementary School District regarding the Ad-Hoc Committee

### 12. COUNCIL COMMENTS

- A. Councilmember Castaneda: Consideration of adoption of the following resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA  
IN SUPPORT OF ESTABLISHMENT OF ENFORCEABLE LIMITS ON  
CALIFORNIA'S GREENHOUSE GAS EMISSIONS AS PROPOSED IN  
ASSEMBLY BILL 32

- B. Deputy Mayor McCann:

CITY COUNCIL APPROVING THE ELIMINATION OF THE  
COMPENSATION FOR THE CHULA VISTA REDEVELOPMENT  
CORPORATION (CVRC) BOARD MEMBERS

## CLOSED SESSION

*Announcements of actions taken in Closed Session shall be made available by noon on Wednesday following the Council Meeting at the City Attorney's office in accordance with the Ralph M. Brown Act (Government Code 54957.7).*

### 13. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE 54957.6

Agency designated representatives: Councilmembers Steve Castaneda and Jerry Rindone

Employee: Interim City Manager Jim Thomson

### 14. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)

- A. ACI Sunbow, LLC v. County of San Diego, City of Chula Vista

- B. Reyes v City of Chula Vista (USDC 05 CV 2309)

### 15. CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b)

Three Cases

16. CONFERENCE WITH LEGAL COUNSEL REGARDING INITIATION OF  
LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c)

One Case

**ADJOURNMENT** to Thursday, June 22, 2006 at 6:00 p.m. in the Council Chambers, and  
thence to the Regular Meeting on July 11, 2006 at 6:00 p.m. in the Council Chambers.

In compliance with the  
AMERICANS WITH DISABILITIES ACT

*The City of Chula Vista requests individuals who require special accommodations to access, attend, and/or participate in a City meeting, activity, or service request such accommodation at least forty-eight hours in advance for meetings and five days for scheduled services and activities. Please contact the City Clerk for specific information at (619) 691-5041 or Telecommunications Devices for the Deaf (TDD) at (619) 585-5655. California Relay Service is also available for the hearing impaired.*